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UNOPPOSED NOTICE OF DEFERRAL OF
PLAINTIFFS' MOTION FOR TEMPORARY
RESTRAINING ORDER

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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

**CHRISTOPHER WISE, MICHAEL
MARTINEZ, CHRISTOPHER
DURKEE, and SAVANNAH
GUEST**, individuals,

Plaintiffs,

v.

CITY OF PORTLAND, a municipal
corporation; **OFFICER STEPHEN
B. PETTEY**, in his individual
capacity; **JOHN DOES 1-60**,
individual and supervisory officers of
Portland Police Bureau; **U.S.
DEPARTMENT OF HOMELAND
SECURITY; U.S. MARSHALS
SERVICE; JOHN DOES 61-100**,
individual and supervisory officers of
the federal government,

Defendants.

Case No. 3:20-cv-01193-IM

**UNOPPOSED NOTICE OF
DEFERRAL OF PLAINTIFFS'
MOTION FOR TEMPORARY
RESTRAINING ORDER AND
ORDER TO SHOW CAUSE WHY
PRELIMINARY INJUNCTION
SHOULD NOT ENTER**

UNOPPOSED NOTICE OF DEFERRAL OF
PLAINTIFFS' MOTION FOR TEMPORARY
RESTRAINING ORDER

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TO: THE CLERK OF COURT; ALL PARTIES AND THEIR COUNSEL OF
RECORD

Pursuant to Fed. R. Civ. P. 65, plaintiffs Christopher Wise, Michael Martinez, Christopher Durkee, and Savannah Guest (together, “Plaintiffs”) respectfully request that this Court defer consideration of Plaintiffs’ Motion for Temporary Restraining Order and Order to Show Cause Why Preliminary Injunction Should Not Enter (ECF 4, the “Motion”) until the afternoon of Monday, August 3, subject to the Court’s continued availability on that day.

The circumstances giving rise to Plaintiffs’ request for emergency relief may have changed since Plaintiffs filed their Motion. This morning, the Governor for the State of Oregon announced that the State had reached some form of an agreement with the Department of Homeland Security regarding a phased drawdown of federal officers from downtown Portland. Counsel for the United States is still investigating the fact or content of any agreement but, in the meantime, has informed us that Plaintiffs’ requested relief could be affected by any ongoing developments. Plaintiffs are also unclear about what will happen with these federal officers in downtown Portland, and agree that their requested relief could be affected. For instance, if federal officers leave Portland, what will that look like? And how can the Court be best informed about what relief to grant when so much is in flux?

The parties have therefore conferred and agreed to delay hearing on Plaintiffs’ Motion. Plaintiffs understand that the Court has availability on the afternoon of Monday, August 3, and respectfully request that the hearing on Plaintiffs’ request for emergency relief be postponed until that date and time, so that the parties—and the Court—can better assess this evolving situation.

The parties therefore request the following:

1. Plaintiffs' Reply in Support of their Motion will be filed by noon on Sunday, August 2.
2. A hearing on Plaintiffs' Motion will be scheduled for the afternoon of Monday, August 3.
3. The parties will inform the Court no later than noon on Sunday, August 2, if a hearing is no longer required.

Nothing in this Notice affects Plaintiffs' claims against defendants City of Portland, Officer Stephen B. Pettey, John Does 1-60, U.S. Department of Homeland Security, U.S. Marshals Service, and John Does 61-100.

DATED: July 29, 2020

PERKINS COIE LLP

By: /s/ Rian Peck

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